



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Washington State Department of Transportation

- ☒ **Preproposal Statement of Inquiry was filed as WSR 14-20-124 ; or**
☐ **Expedited Rule Making--Proposed notice was filed as WSR _____; or**
☐ **Proposal is exempt under RCW 34.05.310(4).**

- ☒ **Original Notice**
☐ **Supplemental Notice to WSR _____**
☐ **Continuance of WSR _____**

Title of rule and other identifying information: (Describe Subject)
 Updated rules for toll collection and adjudication in Washington State.

Hearing location(s):

Bellevue City Hall
 450 110th Ave NE
 Bellevue, WA 98004

Date: November 5, 2015 Time: 6:00 p.m. – 8:00 p.m.

Date of intended adoption: November 5, 2015
 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Craig Stone
 Address: 401 2nd Ave S, Suite 300, Seattle WA 98104
 e-mail: GoodToGoTolling@wsdot.wa.gov

fax (206) 464-1189 by October 30, 2015

Assistance for persons with disabilities: Contact

Craig Stone by October 30, 2015 at (206) 464-1220

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose of this proposed rule is to amend Department of Transportation regulations to implement RCW 46.61.690 and RCW 46.63.160. Amend WAC 468-305-001 Definitions.; Amend WAC 468-305-100 What toll payment methods are available on WSDOT toll facilities?; Create WAC 468-305-105 What can I do to arrange for toll payment before I use a toll facility?; Repeal WAC 468-305-010 Who collects the toll charges on WSDOT toll roads and bridges?; Repeal WAC 468-305-015 What is "dynamic toll pricing"?; Repeal WAC 468-305-020 What is "variable toll pricing"?; Repeal WAC 468-305-030 What is the State Route 167 high-occupancy toll (HOT) lanes pilot project?; Repeal WAC 468-305-110 Why should I use a Good To Go!™ Pass?; Repeal WAC 468-305-120 What is a photo toll?; Repeal WAC 468-305-122 What is a Pay By Plate?; Repeal WAC 468-305-124 What is a Customer-Initiated Payment?; Create WAC 468-305-125 Is there a way for me to pay the toll after I drive on a toll facility before I get a toll bill?; Repeal WAC 468-305-130 What is a Pay By Mail toll bill?; Create WAC 468-305-131 What happens when I use a toll facility but do not have an account or I have insufficient funds in my account?; Repeal WAC 468-305-132 What information will be included in a Pay By Mail toll bill?; Create WAC 468-305-133 What should I do once I receive a toll bill in the mail?; Repeal WAC 468-305-135 What happens if I don't pay my Pay By Mail toll bill?; Create WAC 468-305-136 What happens if I do not pay or dispute my toll charge?; Repeal WAC 468-305-140 How do I dispute a toll charge?; Create WAC 468-305-150 What can I do once I received a notice of civil penalty?; Create WAC 468-305-152 What can I do if I dispute my tolls, fees and/or civil penalty?; Create WAC 468-305-160 What can I do if I want to pay the tolls but dispute a fee or civil penalty?; Amend WAC 468-305-210 What is required for a qualified vehicle to claim an exemption?; Amend WAC 468-305-300 How can I open a Good To Go!™ toll account?; Repeal WAC 468-305-302 Do I need to establish a separate Good To Go!™ account for each Good To Go!™ toll road or bridge that I use?; Repeal WAC 468-305-310 What are the different types of Good To Go!™ toll accounts available and what information is required for each?; Amend WAC 468-305-320 What are the various statuses that my account could be in?; Amend WAC 468-305-330 How can I get a refund if I close my Good To Go!™ account?; Amend WAC 468-305-340 In what order will my payment be applied to what I owe in toll charges?; Repeal WAC 468-305-420 What administrative services are provided to WSDOT toll Good To Go!™ account customers without charge?; Repeal WAC 468-305-500 What is a toll violation?; Repeal WAC 468-305-502 What is a civil penalty?; Repeal WAC 468-305-505 What is a notice of civil penalty (NOCP)?; Repeal WAC 468-305-510 How do I pay a NOCP?; Repeal WAC 468-305-515 How can I contest or dispute a notice of civil penalty?; Repeal WAC 468-305-520 How do I submit a written dispute and waiver of hearing?; Repeal WAC 468-305-525 Who reviews the Written Dispute and Waiver of Hearing Form?; Create WAC 468-305-526 What happens once my dispute is received?; Create WAC 468-305-527 What happens if I disagree with the outcome of my dispute?; Create WAC 468-305-528 What happens if I request an in-person hearing?; Create WAC 468-305-529 How will I be notified of the hearing decision?; Repeal WAC 468-305-530 How do I request an in-person administrative hearing?; Repeal WAC 468-305-550 What is the burden of proof at the hearing or for the written dispute and waiver of hearing?; Amend WAC 468-305-560 What is the final order?; Repeal WAC 468-305-562 Can I appeal a final order?; Repeal WAC 468-305-572 Will interest be charged if an NOCP is not paid?; Amend WAC 468-305-580 How do I find out if I have a lien on my vehicle registration and how do I get it released?

Reasons supporting proposal:

The proposed changes are necessary to implement changes to the customer service program and add I-405 express toll lanes to the toll collection program.

Statutory authority for adoption:
 RCW 47.01.101(5); RCW 46.63.160

Statute being implemented:
 RCW 46.61.690; RCW 46.63.160; RCW 47.56.795

Is rule necessary because of a:

Federal Law? ☐ Yes ☒ No
 Federal Court Decision? ☐ Yes ☒ No
 State Court Decision? ☐ Yes ☒ No
 If yes, CITATION:

DATE
 September 22, 2015

NAME (type or print)
 Craig Stone

SIGNATURE

TITLE
 Assistant Secretary, Toll Division

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: September 22, 2015

TIME: 12:54 PM

WSR 15-19-143

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization)

Washington State Department of Transportation

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Craig Stone	Seattle, WA	(206) 464-1220
Implementation....Craig Stone	Seattle, WA	(206) 464-1220
Enforcement Craig Stone	Seattle, WA	(206) 464-1220

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No. Explain why no statement was prepared.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules apply to all vehicles using state toll facilities and do not have a disparate impact to "business in an industry" as described in RCW 19.85.030.

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No: Please explain:

Pursuant to subsection (5) of RCW 34.05.328, RCW 34.05.328 does not apply to the Department of Transportation and it is not required to develop a cost-benefit analysis.